IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

LETTERS PATENT APPEAL NO. 217 OF 2001

M/s. Anita Enterprises & anr. ... Appellants

Vs.

The Belfer Co-op. Hsg. Soc. Ltd. and Ors. ... Respondents

Mr. R.V. Govilkar for Appellants.

Mr. V.Y. Sangalikar for Respondnet No. 1.

Mr. S.M. Dixit with Mr. Kishore Kapse for Respondent No. 2.

CORAM : F.I. REBELLO & ANOOP V. MOHTA,JJ.
DATED : AUGUST 25, 2004

P.C. :

. This is an appeal preferred against the order passed in Writ Petition No. 2253 of 2001 which was disposed of by common order by the learned Single Judge on 5.7.2001. By the petition, petitioner challenges the order dated 12.2.2001 in Appeal No. 89 of 2000 passed by the learned Maharashtra State Coop. Appellate Court, Mumbai. Considering the relief sought and the jurisdiction invoked, even though the petition invokes extra ordinary jurisdiction of this court under article 226 for

all purposes, petition is under Article 227. Hence, appeal is not maintainable and consequently, L.P.A. rejected.

(F.I. REBELLO,J.)

(ANOOP V. MOHTA,J.)